

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

JOHN J. EVANS, as Personal)	
Representative of the Estate of)	
Dorothy Lorene Evans, Deceased,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 11-CV-802-JED-FHM
)	
GENERAL ELECTRIC COMPANY and)	
DAEWOO ELECTRONICS AMERICA,)	
INC., and BEST BUY STORES, L.P. and)	
BBC PROPERTY CO.)	
)	
Defendants.)	

**PLAINTIFF'S RESPONSE TO DEFENDANT GENERAL ELECTRIC
COMPANY'S MOTION IN LIMINE TO EXCLUDE ANY MENTION
OF GENERAL ELECTRIC'S PENDING CLASS ACTION LAWSUIT
OR ANYTHING RELATED TO THE CLASS ACTION LAWSUIT**

The Plaintiff, John J. Evans, respectfully submits this Response to Defendant General Electric Company's Motion in Limine to Exclude Any Mention of General Electric's Pending Class Action Lawsuit or Anything Related to the Class Action Lawsuit (Doc. 134), which was filed in this case on March 20, 2014.

Plaintiff advises the Court that he has no intention of introducing evidence of the fact of that lawsuit. However, the Plaintiff does reserve the right to introduce evidence of the fact that G.E. is aware that microwave ovens can, and frequently do, catch fire and start house fires to rebut any assertion by G.E. that:

1. Microwave ovens generally do not contain sufficient fuel to catch fire as a result of an internal electrical defect; or

2. That G.E. is unaware of whether or not microwaves contain sufficient fuel to start a house fire.

As is more fully explained in Plaintiff's contemporaneously filed Response to General Electric's Motion in Limine to Exclude Reference to Other Claims or Incidents (Doc. 135), that evidence is relevant and admissible for the limited purpose of refuting G.E.'s apparent contention that microwave ovens are incapable of catching fire due to electrical defects or starting house fires due to electrical defects.

CONCLUSION

Plaintiff has no objection to the Court granting General Electric's Motion to Exclude Any Mention of General Electric's Pending Class Action Lawsuit, subject to the caveat that the Court's ruling should leave open the possibility that evidence of other electrical fires that are caused by microwave ovens is relevant and admissible in this case.

Respectfully submitted,

TAYLOR, RYAN, MINTON, VAN DALSEM,
& WILLIAMS, P.C.

By s/Robert Scott Williams

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CERTIFICATE OF MAILING

I, ROBERT SCOTT WILLIAMS, hereby certify that on the 23rd day of April, 2014, I electronically transmitted the foregoing document to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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s/Robert Scott Williams
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blc